## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

UNITED STATES OF AMERICA	)	
	)	C N- 1.1(CD00001 007
	)	Case No. 1:16CR00001-007
V.	)	OPINION AND ORDER
BRANDIN TRAVIS HYDE,	)	By: James P. Jones
	)	United States District Judge
	)	
Defendant.	)	

Brandin Travis Hyde, Pro Se Defendant.

The defendant, proceeding pro se, has moved for an extension of time to file a motion to vacate his sentence under 28 U.S.C. § 2255. The defendant was sentenced by this court to a term of imprisonment on August 16, 2016, following his plea of guilty to conspiring to distribute a controlled substance, methamphetamine, and possessing a firearm while being a user of a controlled substance. No appeal was taken. The present motion was signed and dated by the defendant on October 9, 2017, and filed with the court on October 16, 2017.

The defendant seeks an extension of time on the grounds that he has had to spend time to study his case and that he has a prison job working 15 hours per day.

Mot. 1, ECF No. 487. He states no specific ground for a motion under § 2255 except that "I think there is some error in my case that my lawyer . . . should have

found and some other things that should have been told to you pertaining [sic] my

case that I believe might have helped me out during sentencing." Id. at 2.

The court has no power to extend the time to file a motion under § 2255. As

the defendant recognizes in his present motion, the statutory period of limitations

for a § 2255 motion is one year from the date the judgment of conviction became

final. 28 U.S.C. § 2255(f)(1). No exceptions to this deadline are apparent from the

defendant's present motion.

Accordingly, the defendant's motion (ECF No. 487) is DENIED.

It is so **ORDERED**.

ENTER: October 18, 2017

/s/ James P. Jones

United States District Judge

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